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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NATURAL RESOURCES DEFENSE
COUNCIL,

Plaintiff,

v.

U.S. DEPARTMENT OF ENERGY,

Defendant.

No. 17 Civ. 6989 (RWS)

NOTICE OF MOTION TO DISMISS THE AMENDED COMPLAINT AS MOOT

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss the Amended Complaint as Moot, pursuant to Federal Rule of Civil Procedure 12(h)(3), Defendant U.S. Department of Energy, by its attorney, Geoffrey S. Berman, United States Attorney for the Southern District of New York, hereby moves this Court for an order dismissing the amended complaint.

Dated: August 23, 2018
New York, New York

Respectfully submitted,

GEOFFREY S. BERMAN
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